

CITY OF JOHNS CREEK
WORK SESSION SUMMARY
March 28, 2011, 5:00pm

The City of Johns Creek Mayor and Council held a Work Session on Monday, March 28, 2011 at 5:00pm. The Work Session was held in the Taylor Farms Conference Room at City Hall, located at 12000 Findley Road, Suite 300 in Johns Creek, Georgia 30097. In attendance were Council Members R. Johnson, B. Miller, I. Figueroa, K. Richardson, K. Stewart, D. McCabe and Mayor M. Bodker. City Manager J. Kachmar, Attorney B. Riley and other Department Heads were present.

Mayor Bodker opened the meeting with the Pledge of Allegiance.

In his **opening comments**, the Mayor informed Council Adam Orkin from the MARTA Board mentioned March 30th is the deadline for finalizing a list of MARTA projects and indicated there was no support for funding projects in North Fulton and the City, due to the perception the policies do not encourage increasing density, particularly near transit stops. The Mayor added that Johns Creek citizens pay the penny tax to support MARTA funding and therefore should be compensated as such. The Mayor also informed Council of a lawsuit recently filed in the United States District Court against the State of Georgia seeking the dissolution of the newly formed cities and an injunction on any legislation for the formation of Milton County. He said our City Attorney and Representative Wendell Willard will be reviewing the case.

Finance Director Vavra Adam Fraley introduced Adam Fraley with Mauldin & Jenkins who summarized the City's **2010 Audit Report and Comprehensive Annual Financial Report (CAFR)**. Mr. Fraley noted this is a "clean opinion" and this report will be submitted to the Georgia Finance Officers Association for additional review. Mr. Fraley reviewed how the new accounting standards, effective 9/2010 will need to be implemented moving forward, GASB 54, etc. Director Vavra also highlighted the *statistical section* of the CAFR which provides a snap shot of the city's financial picture. Mayor Bodker thanked Director Vavra and his staff for their great work.

Assistant City Attorney Scott Hastey reported on the **Legislative Delegation Letter and the Related Ordinance** in reference to Charter revisions. Attorney Hasty informed Council the adopted resolution recommending several Charter revisions was forwarded to the Legislative Delegation for action. The delegation responded with a letter indicating one request[boundary change] was not feasible at this time but other proposed revisions regarding administrative management and budget timeline could be approved by Council under "Municipal Home Rule", as outlined in the Georgia Constitution and General Law. Attorney Hastey reported the procedures for Home Rule requires the changes to be adopted by Ordinance following two consecutive Council Meetings, and the proposed changes must be advertised for three weeks prior to the first meeting. City Attorney Riley noted to the council as one of the proposed changes affects his office, advising Council on invoking Home Rule could be construed as a conflict, and he recommended consulting with outside Council on this. Council discussed the boundary changes and suggested reaching out to the other jurisdictions, responding to the delegation comments the request should be communicated by a joint resolution between the affected cities. There was additional discussion on the Home Rule provision with council suggesting to reach out to the Sandy Springs City Attorney for assistance, the legal organ for posting a notice, and further clarifying and distinguishing delegation comments regarding the authority of Council to immediately commence a Charter Commission and/or act under Home

Rule on the current revisions. There was Council consensus to add to tonight's Council Meeting agenda a discussion on commencing the Home Rule process by moving forward with the advertisement of proposed revisions.

There being no further business Mayor Bodker adjourned the Work Session.

Approved,

Attest,

Michael E. Bodker, Mayor

Joan C. Jones, City Clerk